

## **REMARKS**

Claims 1-12 are pending in the application. Claims 1-3 and 8 are rejected, and claims 1-2, 4-6, and 9-11 are objected. The Examiner has indicated on page 3 of the office action that claims 4-7 and 9-12 would be allowable if appropriate corrections are made and rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1-2, 4-7, and 9-12 have been amended. Specification and drawings have been amended to correct informalities. Support for the amendment can be found in the entire specification. No new matter has been added by the amendments.

### ***Drawing Objections:***

The drawings stand objected. Figure 5 has been amended to incorporate a legend "Prior Art". Replacement drawing in compliance with 37 CFR 1.121(d) is attached hereto. Withdrawal of the drawing objections is respectfully requested.

### ***Abstract Objections:***

An abstract stands objected to for informalities. The abstract has been amended to correct the informalities. Withdrawal of the abstract objections is respectfully requested.

### ***Specification Objections:***

The disclosure stands objected to for informalities. The numeral numbers "3" in pages 2 and 8 of the specification have been amended to recite "boss". Support for the amendment can be found in the last whole paragraph of page 7. Withdrawal of the specification objections is respectfully requested.

### ***Claims Objections:***

Claims 1-2, 4-6, and 9-11 stand objected to for informalities. Claims 1-2, 4-6, and 9-11 have been amended to correct the informalities. Withdrawal of the claim objections is respectfully requested.

### ***Claims Rejections:***

Claims 1-3 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Takabayashi et al. (U.S. 6,522,809) (hereinafter "Takabayashi") for the reasons stated on pages 4-6 of the office action. Applicants respectfully traverse the rejection.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970).

The Examiner has indicated on page 5 of the office action that the reference number 6 in figure 5B of the Takabayashi teaches the element “connection point” as recited in claim 1. Applicants respectfully disagree with the Examiner. Col. 10, lines 59-61 of Takabayashi teach that a fiber array connector 6 is connected to one end of each of the waveguides 1, and is fastened on one end of the substrate 3. Col. 10, lines 32-34 of Takabayashi teach the substrate 3 being supported by two substrate support bodies 4 that are installed on the bottom of a casing 7 at a predetermined distance from each other. Takabayashi, however, does not teach or suggest that the fiber array connector 6 is installed on the casing 7 or the bodies 4.

In contrary, the connection point recited in claim 1 is installed on the pedestal or the base plates. Therefore, the fiber array connector 6 disclosed in Takabayashi does not teach or suggest the connection point recited in claim 1.

The Examiner has further stated on page 5 of the office action that figure 45 of Takabayashi teaches the extension line as recited in claim 1. Col. 33, lines 19-23 of Takabayashi teach that the portion of the substrate 3 where the waveguide grating 2 is formed is covered with an organic material layer 119, with a load applied by a stress adjusting screw 118 via the organic material layer 119 thereby to bend the substrate 3. Therefore, the organic material layer 119 disclosed in Takabayashi covers the portion of the substrate 3, rather than being located between the casing 117 and substrate support bodies 114.

In contrary, the contact surface recited in claim 1 is between the pedestal and the base plates. Therefore, the organic material layer 119 disclosed in Takabayashi does not teach or suggest the contact surface recited in claim 1.

Thus, Takabayashi does not render claim 1 obvious because it fails to teach or suggest the element “an optical fiber passing through said pedestal, and connected to

connection points installed on said pedestal or said base plates, ..., an extension line of an axis of said optical fiber joining said connection points passes through a contact surface between said pedestal and said base plates", as recited in claim 1.

Claim 2 is believed to be patentable over Takabayashi for at least the reasons given for claim 1. Claims 3 and 8 depend from claims 1 and 2, respectively, and thus are believed to be allowable due to their dependency on claims 1 and 2.

***Conclusion:***

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicant's attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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